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July 18, 2000

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Hand Delivered

Magalie Roman Salas, Secretary
Federal Communications Commission
445 Twelfth Street, S.W., Room TW-A325
Washington, D.C. 20554

Re: *Personal Communications Services - WT Docket No. 97-82*,
Notification of Oral Ex Parte Presentation

Dear Ms. Salas:

This letter serves as notice that on Monday, July 17, 2000, Everett R. Dobson, Chief Executive Officer of Dobson Communications Corporation ("Dobson"), along with undersigned counsel, met with the following persons to discuss positions set forth in Dobson's filings in the above-captioned proceeding:

Commissioner Harold Furchtgott-Roth and Bryan Tramont, his Legal Advisor
Clint Odom, Legal Advisor to Chairman Kennard
Mark Schneider, Senior Legal Advisor to Commissioner Ness
Peter Tenhula, Senior Legal Advisor to Commissioner Powell
Adam Krinsky, Legal Advisor to Commissioner Tristani

Mr. Dobson and undersigned counsel discussed the issue of whether bidding credits should be made available to small and very small businesses in the reauction of licenses on which eligibility continues to be restricted. Dobson's view on this issue is that bidding credits have not worked to achieve their intended purpose — assisting entities who have difficulty obtaining access to capital — and instead favor newly- or recently-created bidders that are structured to take advantage of bidding credits and to shield their deep-pocketed investors from attribution for this purpose. Mr. Dobson made the point that, if bidding credits are made available in the restricted reauction, large cap carriers will be more inclined to invest in newly-created "entrepreneurs" with management they can trust, thereby making it more difficult for small and very small businesses to acquire licenses. He also noted that bidding credits can create an arbitrage opportunity for speculators to sell licenses to grandfathered entrepreneurs who are no longer eligible for bidding credits, but who were small or very small businesses when they first acquired licenses.

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Mr. Dobson also discussed his position on the "grandfathering" issue. He stated that, as a participant in the original C Block auction (Auction #5) who withdrew from the auction when the bids escalated beyond rational levels, Dobson now wishes to have the opportunity to acquire these very same licenses in the next reauction. Since Auction #5, Dobson has successfully operated its wireless business so that it has grown beyond the asset and revenue caps applicable for qualification as an entrepreneur under the Commission's rules. Mr. Dobson argued that the grandfathering provision of Section 24.709(b)(9)(i) as currently written entitles Dobson to participate in reauctions of C Block licenses, that the rule should not be changed and that it should not be interpreted to apply only to entities that won C Block licenses in Auctions #5 or #10. Mr. Dobson urged the Commission to follow the "graceful growth" policy enunciated at para. 125 of the *Fifth Memorandum Opinion and Order* in PP Docket No. 93-253, a copy of which was distributed at the meetings and is attached hereto.

Each of the meetings described herein lasted approximately 30 minutes. Pursuant to Section 1.1206(b), an original and one copy of this notification are being filed with your office. Please associate this letter with the file in the above-captioned proceeding.

Please contact us should you have questions concerning this matter.

Sincerely,

WILKINSON BARKER KNAUER, LLP

By: 

Lawrence J. Movshin

Jonathan V. Cohen

Counsel for Dobson Communications Corporation

Enclosure

cc (w/ enc.): Commissioner Harold Furchtgott-Roth
Bryan Tramont
Clint Odom
Mark Schneider
Peter Tenhula
Adam Krinsky
Thomas J. Sugrue
Kathleen O'Brien Ham
Margaret Wiener

Fifth Memorandum Opinion and Order, PP Docket No. 93-253, para 125.

*“We will allow licensees to retain their eligibility during the holding period, even if the company has grown beyond our size limitations for the entrepreneurs’ block and for small business eligibility. Thus, we will permit entrepreneurs’ block licensees to transfer their licenses in years four through five to other entrepreneurs’ block licensees even if it would result in growth beyond the permissible gross assets and total revenues caps, as long as it otherwise complies with our control group and equity requirements. **We believe this encourages designated entities to grow instead of penalizing them for their success**”*

Dobson Communications Corporation
July 17, 2000

Ex parte presentation
WT Docket No. 97-82